

SENATE BILL NO. 202

BY SENATORS HARRIS, CARTER, EDMONDS AND JACKSON-ANDREWS AND REPRESENTATIVES BAYHAM, BERAULT, BILLINGS, BOYD, CARPENTER, CARVER, CHASSION, COATES, COX, FISHER, ILLG, JACKSON, KNOX, LYONS, MACK, MENA, NEWELL, STAGNI, TAYLOR, VILLIO AND WYBLE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 17:3215(9) and 3241(B)(2), to enact R.S. 17:3215(10) and 3230.1, and to repeal R.S. 17:3217(A)(9) and 3230, relative to postsecondary education; to provide for the transfer of the University of New Orleans to the Louisiana State University System; to provide relative to the transfer of the facilities, resources, funds, obligations, and functions of the institution; to provide for the transition responsibilities of the impacted institution and management boards and the division of administration; to provide for cooperative agreements; to provide relative to accreditation issues; to provide relative to funding; to provide relative to employees; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3215(9) and 3241(B)(2) are hereby amended and reenacted and R.S. 17:3215(10) and 3230.1 are hereby enacted to read as follows:

§3215. Louisiana State University system

The Louisiana State University system is composed of the institutions under the supervision and management of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College as follows:

\* \* \*

**(9) The University of New Orleans.**

~~(9)~~**(10)** Any other college, university, school, institution or program now or

1 hereafter under the supervision and management of the Board of Supervisors of  
2 Louisiana State University and Agricultural and Mechanical College.

3 \* \* \*

4 §3230.1. The University of New Orleans; transfer to the Louisiana State  
5 University System

6 A.(1) Not later than August 1, 2025, the president of the University of  
7 New Orleans shall submit a letter to the president of the Southern Association  
8 for Colleges and Schools, Commission on Colleges, stating her intent for a  
9 change in governance for the institution from the Board of Supervisors for the  
10 University of Louisiana System to the Board of Supervisors of Louisiana State  
11 University and Agricultural and Mechanical College.

12 (2) The president, faculty, and administration of the University of New  
13 Orleans shall take every action necessary to efficiently and expeditiously comply  
14 with all established timelines, requirements, and procedures to ensure that the  
15 requested change of governance may be effected immediately upon receipt of  
16 commission approval.

17 B.(1) Pursuant to the authority granted to the legislature by Article VIII,  
18 Section 5(D)(3) of the Constitution of Louisiana to transfer an institution from  
19 one board to another by law enacted by two-thirds of the elected members of  
20 each house, the University of New Orleans, and the assets, funds, obligations,  
21 liabilities, programs, and functions related thereto, are hereby transferred to  
22 the Louisiana State University System, and shall be under the management and  
23 supervision of the Board of Supervisors of Louisiana State University and  
24 Agricultural and Mechanical College.

25 (2) The provisions of this Subsection shall become effective immediately  
26 upon receipt of approval from the Southern Association for Colleges and  
27 Schools, Commission on Colleges, for the requested change in governance.

28 C. The Board of Supervisors of Louisiana State University and  
29 Agricultural and Mechanical College shall develop policies and procedures to  
30 resolve issues related to the status and tenure of employees of the University of

1 New Orleans which may arise from the transfer of the institution to the  
2 Louisiana State University System, and shall take necessary actions to support  
3 the transition, including but not limited to:

4 (1) The formation of a transition team comprised of stakeholders from  
5 the Greater New Orleans region and members of the House and Senate  
6 committees on education.

7 (2) Development of a comprehensive transition plan informed by  
8 external assessments of finances, academic programs, and facilities as  
9 appropriate, to improve the academic, operational and fiscal performance of the  
10 University of New Orleans, and present the plan to the Board of Regents and  
11 the House and Senate committees on education no later than April 1, 2026.

12 D. The Board of Supervisors for the University of Louisiana System  
13 shall:

14 (1) Continue to exercise its authority to supervise and manage the  
15 University of New Orleans until such time as the Southern Association for  
16 Colleges and Schools, Commission on Colleges, grants approval for the  
17 requested change in governance and transfer of the University of New Orleans  
18 to the Louisiana State University System.

19 (2)(a) Work cooperatively and collaboratively with the Board of  
20 Supervisors of Louisiana State University and Agricultural and Mechanical  
21 College to ensure that the requested transfer may be effected immediately upon  
22 receipt of commission approval for the change in governance.

23 (b) Prior to receipt of such approval, enter into agreements to transfer  
24 as many administrative and supervisory functions as possible with respect to the  
25 University of New Orleans to the Louisiana State University System, without  
26 adversely impacting the accreditation status of the institution.

27 (3) Prior to receipt of such approval, continue to balance the University  
28 of New Orleans' budget in close collaboration with the Board of Supervisors of  
29 Louisiana State University and Agricultural and Mechanical College, with a  
30 view to strengthening the fiscal health of the University of New Orleans.

1                   **(4) Upon receipt of such approval, immediately transfer all assets, funds,**  
2                   **facilities, property, obligations, liabilities, programs, and functions relative to**  
3                   **the University of New Orleans to the Louisiana State University System.**

4                   **E. The Board of Supervisors for the University of Louisiana System shall**  
5                   **not:**

6                   **(1) Interfere with, or impede in any way, the processes to transfer the**  
7                   **University of New Orleans to the Louisiana State University System.**

8                   **(2) Sell, transfer, or otherwise remove any asset or thing of value,**  
9                   **movable or immovable, tangible or intangible, attributable to or owned by the**  
10                  **University of New Orleans, or owned, leased by, or operated by any foundation**  
11                  **related to such institution. In addition, access to any asset leased to any**  
12                  **foundation related to the University of New Orleans shall not be restricted or**  
13                  **denied.**

14                  **(3) Incur, transfer, or assign any debt or other responsibility or**  
15                  **obligation to the University of New Orleans that is not properly attributable to**  
16                  **the institution.**

17                  **(4)(a) Disproportionately reduce or reallocate the level of funding that**  
18                  **would otherwise be allocated to the University of New Orleans pursuant to the**  
19                  **postsecondary education funding formula.**

20                  **(b) Until such time as the University of New Orleans is transferred to the**  
21                  **Louisiana State University System, impose any budget reductions or changes in**  
22                  **funding allocations upon the institution without prior review of the Board of**  
23                  **Regents and approval from the Joint Legislative Committee on the Budget.**

24                  **F. The commissioner of administration shall:**

25                  **(1) Ensure that sufficient funds and resources are available to fully effect**  
26                  **the transfer of the University of New Orleans to the Louisiana State University**  
27                  **System. Such funding and resources shall not impact the Board of Regents'**  
28                  **formula for the equitable distribution of funds to institutions of postsecondary**  
29                  **education.**

30                  **(2) Purchase available insurance for indemnification and costs which**

1 may arise from the transfer; provided however, that the commissioner of  
 2 administration shall indemnify and hold harmless the Board of Supervisors of  
 3 Louisiana State University and Agricultural and Mechanical College and the  
 4 Board of Supervisors for the University of Louisiana System for any liability  
 5 and costs which may result from the transfer of existing contracts, financing, or  
 6 immovable property.

7 G. Upon the date of transfer, any and all funds previously paid by the  
 8 University of New Orleans to the Board of Supervisors for the University of  
 9 Louisiana System shall be paid instead to the Board of Supervisors of Louisiana  
 10 State University and Agricultural and Mechanical College; however, the total  
 11 amount of such payments shall not be less than that paid during the 2024-2025  
 12 Fiscal Year.

13 H. The legislature shall appropriate sufficient funds to the Board of  
 14 Supervisors of Louisiana State University and Agricultural and Mechanical  
 15 College and the Board of Supervisors for the University of Louisiana System to  
 16 fully effect the transfer of the University of New Orleans to the Louisiana State  
 17 University System. The legislature may place reasonable conditions on the  
 18 granting of transition funding, such as the receipt of a comprehensive transition  
 19 plan or demonstration of benchmarks reached.

20 \* \* \*

21 §3241. Legislative intent; goals

22 \* \* \*

23 B. The legislature finds that these goals will best be accomplished through  
 24 the following actions:

25 \* \* \*

26 ~~(2) The Board of Supervisors of Southern University and Agricultural and~~  
 27 ~~Mechanical College, the Board of Supervisors for the University of Louisiana~~  
 28 ~~System, and the Board of Supervisors of Community and Technical Colleges each~~  
 29 ~~shall adopt by not later than February 1, 2012, a written plan of action including~~  
 30 ~~timelines, deadlines, requirements, and procedures for achieving the goals specified~~

1 in Subsection A of this Section as they relate to the powers, duties, functions, and  
2 responsibilities of the boards provided by Article VIII, Section 5(E), of the  
3 Constitution of Louisiana and other applicable law. Each board also shall submit  
4 copies of its adopted action plan to the House Committee on Education and the  
5 Senate Committee on Education. **The Board of Supervisors of Louisiana State**  
6 **University and Agricultural and Mechanical College's plan pursuant to R.S.**  
7 **17:3230.1(C)(2) shall set a bold vision for the success of the University of New**  
8 **Orleans and robust implementation of the plan to ensure world-class**  
9 **educational offerings for the Greater New Orleans region. The plan shall**  
10 **address, at a minimum, strong alignment to the workforce needs of the region**  
11 **and the state, a focus on both excellence and efficiency in the integrated delivery**  
12 **of higher education in the region, and comprehensive stakeholder engagement**  
13 **to ensure community support.**

14 Section 2. R.S. 17:3217(A)(9) and 3230 are hereby repealed.

15 Section 3.(A) This Act is not intended to nor shall it be construed to impair the  
16 contractual or other obligations of any agency, office, board, commission, department, or  
17 political subdivision, or of the state as a result of the transfers of obligations in accordance  
18 with this Act. Upon the effective date of the transfer of the University of New Orleans, all  
19 such obligations of the Board of Supervisors for the University of Louisiana System related  
20 to the University of New Orleans shall be deemed to be obligations of the Board of  
21 Supervisors of Louisiana State University and Agricultural and Mechanical College to the  
22 same extent as if originally incurred by it.

23 (B) All funds and revenues previously dedicated by authority of the constitution and  
24 laws of this state to the payment of any bonds related to the University of New Orleans shall  
25 continue to be collected and dedicated to such payments unless and until other provision is  
26 made for such payments in accordance with law. Upon the effective date of the transfer of  
27 the University of New Orleans, all acts relating to such bonds by the Board of Supervisors  
28 for the University of Louisiana System shall be deemed to be the acts of the Board of  
29 Supervisors of Louisiana State University and Agricultural and Mechanical College in the  
30 same manner and to the same extent as if originally so done.

1 (C) No provision of this Act shall preclude a Memorandum of Understanding (MOU)  
 2 under which a bonded indebtedness obligation of the Board of Supervisors for the University  
 3 of Louisiana System existing on the effective date of this Act would remain in force after  
 4 an agreement that the Board of Supervisors of Louisiana State University and Agricultural  
 5 and Mechanical College would be responsible for all payments, costs, and other covenants  
 6 contained in said bonded indebtedness. If the maintenance of bonded indebtedness by the  
 7 Board of Supervisors for the University of Louisiana System for properties or assets to be  
 8 transferred to the Board of Supervisors of Louisiana State University and Agricultural and  
 9 Mechanical College is advantageous to the state of Louisiana, then the Board of Supervisors  
 10 for the University of Louisiana System shall make every effort to maintain such bonded  
 11 indebtedness under a Memorandum of Understanding as described herein.

12 (D) The provisions of this Section shall have the full force and effect of law.

13 Section 4. The implementation of the provisions of this Act shall be subject to the  
 14 appropriation of funds by the legislature for this purpose.

15 Section 5. This Act shall become effective upon signature by the governor or, if not  
 16 signed by the governor, upon expiration of the time for bills to become law without signature  
 17 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 18 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 19 effective on the day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_